

March 23, 1976

SENATOR GEORGE: Mr. President, members of this House. I am in full support of Senator Burrows motion. We simply have another case here where a judge starts legislating. Of course, he can not do one thing. He can not finance his legislation. We are supposed to finance his legislation. There is of course one point where we can say that this is our field and not his. Therefore I think that we don't need those \$29,000, and Senator Burrows knows what he is talking about. The Beatrice Home is in his district. I am in full support of his motion and I hope that we cut those, those \$29,000 out of the budget. Thank you.

SENATOR MAHONEY PRESIDING

SENATOR MAHONEY: Senator Bereuter.

SENATOR BEREUTER: Mr. President, members of the Legislature. Sometimes I think that this may be futile but, I think that Senator Burrows is bringing something to us that deserves our attention. I have no quarrel at all with the people who brought the law suit. That is certainly a legitimate method of pursuing their interests. What I do object to is the prerogatives of this legislature being eroded one more time by action of the Executive and Judicial branches without any kind of conference with the legislature or the Executive Board. It is one more reason why we need an attorney to protect the interests of this body if nobody else will. I am sure that that panel is being paid today. I would like to know where that money is coming from? There is no appropriation by this body to pay for that body's operation. They are requesting the deficit appropriation here. Who is illegally paying for the operation of that panel today? Under what justification? I oppose the payment of this all the way through committee, and I oppose it today, not on the issue of mentally retarded, but what it is doing to the responsibilities, the only sacred responsibility that we have in this body is the appropriations process, which all of you share in. I think that when it is eroded by the Executive Branch, we ought not tolerate that kind of situation. I urge that you support Senator Burrows amendment.

PRESIDENT WHELAN PRESIDING.

PRESIDENT: Senator Fowler.

SENATOR FOWLER: (no response)

PRESIDENT: Senator Stoney.

SENATOR STONEY: Mr. President, a question of Senator Burrows please. Senator Burrows, so I might follow this a little more closely and understand, who established the Nebraska Mental Retardation panel?

SENATOR BURROWS: Judge Shotz, in the out-of-court settlement between the community....well they started with a few parents